

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**210**

**CRM-M No.43963 of 2019  
Date of Decision: 28.1.2020**

**SEWAK SINGH AND ANR**

**.....Petitioners**

**Vs**

**STATE OF PUNJAB**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Ms.Satinder Kaur, Advocate  
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

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**RAJ MOHAN SINGH, J. (Oral)**

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No. 137 dated 15.9.2019 under Sections 341, 323, 149, 379 B and 120-B IPC registered at Police Station Kot-Ise-Khan Dharamkot District Moga.

Interim bail was granted to the petitioners vide order dated 17.10.2019 and they were directed to surrender before the police and join investigation within two weeks.

Learned State counsel, on instructions from HC Jagir Singh, states that the petitioners have complied with the aforesaid order, but they have not facilitated recovery of mobile phone as alleged by the complainant in the FIR. He further states that in the supplementary statement the accusation in terms of taking away cash amount of Rs.1200/- and other

documents has been alleged.

Perusal of the FIR would show that Makhan Singh, Resham Singh and Sewak Singh, sons of Pritam Singh were already present at the spot. In order to avoid any further conflict, the complainant tendered apology to them under fear. Thereafter, they decided to come back to their houses. Parvinder Singh had already gone somewhere in his car. When the complainant reached near the gate, then Makhan Singh and Sewak Singh caught hold of complainant and threw him in the street drain and gave kick blows and also applied grease on his face. The remaining persons also dragged him. He raised alarm and all the persons fled away from the spot. It has been alleged by the complainant that, while fleeing from the spot, they have taken away his mobile phone. The particulars of the mobile have not come forth. The case appears to be debatable.

In view of above interim order dated 17.10.2019 is made absolute. However, the petitioners shall keep on joining the investigation as and when required to do so and shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of accordingly.

**January 28, 2020**

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**(RAJ MOHAN SINGH)  
JUDGE**

**Whether speaking/reasoned      Yes/No**  
**Whether reportable              Yes/No**